

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CURTIS M. COLLINS,)
)
 Plaintiff,)
)
 v.) Civ. No. 05-739-SLR
)
 WARDEN RICK KEARNEY, et al.,)
)
 Defendants.)

CERTIFICATION

At Wilmington this 9th day of November, 2006;

I, Nancy Rebeschini, Esquire, pro se law clerk, and designated officer for depositions upon written questions held before me on November 8, 2006, do here by certify that:

1. The deposition of Michael Milligan was held on November 8, 2006, at 9:55 a.m., at the J. Caleb Boggs Federal Building, Wilmington, Delaware.

2. On that same date, Michael Milligan declared before me, an individual authorized to administer oaths, that his written answers were true and correct.

3. I read aloud each and every deposition question submitted by plaintiff, Curtis M. Collins, for deponent, Michael Milligan.

4. I personally observed deponent, Michael Milligan, answer in writing, the deposition questions.

5. A true and correct copy of the written questions filed by plaintiff, the original written answers of deponent, and

written original objections made by his counsel are attached hereto and are filed with the court, and copies shall be served upon the parties and the deponents.

I, Nancy Rebeschini, certify under penalty of perjury that the foregoing is true and correct.

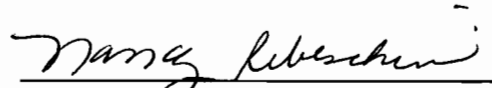
Executed this 9th day of November, 2006.



Nancy Rebeschini, Esquire,
Designated Officer

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2006, I caused to be electronically filed the attached Certification with the Clerk of the Court using CM/ECF, which will send notification of such filing to Erika Yvonne Tross, Esquire, counsel for defendants. I further certify I caused a true and correct copy of the attached Certification to be served via U.S. mail on plaintiff, Curtis M. Collins, SBI #314128, Delaware Correctional Center, SHU 17-DL-2, 1181 Paddock Road, Smyrna, DE 19977.


Nancy Rebeschini, Esquire,
Designated Officer

C/O MILLIGAN

CAN you PLEASE STATE AND OR DESCRIBE
WHAT TRANSPIRED ON 8-6-05 IN THE

① # M.S.B. Chowhall BETWEEN you AND THE
PLAINTIFF CURTIS COLLINS

② # AFTER THIS SO CALLED ALTERCATION
BETWEEN you AND THE PLAINTIFF IS
IT TRUE THAT AFTER THE PLAINTIFF WAS
HANDCUFFED AND SUBDUED WAS IT NECESSARY
IN your eyes TO CONTINUE TO BEAT THE
PLAINTIFF AND SPRAY THE PLAINTIFF
WITH TWO CANS OF PEPPERS SPRAYS?

③ HAVE you ever SEEN A INCIDENT LIKE
THIS BEFORE?

④ # OK HAVE you EVER LAID your HANDS ON
ANY OTHER INMATE BEFORE WHILE THAT
PERSON HAS BEEN SUBDUED IN HANDCUFFS

⑤ ALSO WHAT IS your DEMEANOR TOWARDS OTHER
INMATES AT THE PRISON?

C/O MILLIGAN

#⑥#

ISNT IT TRUE THAT PROTOCOLLY YOU FOLLOW OR ALLOWS YOU TO PLACE HANDS ON A INMATE BUT ONCE THAT INMATE IS SUBDUED YOU MUST STOP! WHY THEN YOU CONTINUE TO HIT AND OR CAUSE THE PLAINTIFF INJURIES WHILE HE WAS IN HANDCUFFS" AND SUBDUED Laying FACE DOWN ON THE FLOOR?

#⑦#

IS IT TRUE ON SET PROTOCOLLY THE PLAINTIFF WAS ON THE GROUND AND DID NOT RESIST IN ANY WAY CAN YOU PLEASE "TELL THE COURTS WHY? OR HOW THE PLAINTIFF GOT BROKEN, RIBS AND A BUSTED LIP WHEN IN FACT THE THE PLAINTIFF WAS RESISTING IN ANY WAY?

#⑧#

SIR" ON THE STREETS DO YOU CONSIDER YOURSELF "A" VIOLENT PERSON?

#⑨#

WELL CAN YOU DESCRIBE YOUR ACTION IN M.S.B. CHOWHALL "WHILE BEATIN A" INMATE UP AND DOWN IN FRONT OF A BUNCH OF OTHER INMATES?

⑩#

ALSO FOR THE RECORD WITH ALL THESE SERIOUS QUESTIONS THAT WAS ASKED HERE TODAY WOULD YOU BE WILLIN TO TAKE A" BIG LIE DETECTOR TEST!

Time
9:55

C/o Mike D. Milligan

11/8/06

- 1). NO - was not there.
- 2). NO - was not there.
- 3). What incident did not see any incident.
- 4). NO.
- 5). To follow Rules & Regulations of Prison.
6. NO - was not there.
- 7). Was not there.
- 8) NO.
- 9). Was not there.
- 10). NO.

C/o MICHAEL D. MILLIGAN

C/o Michael D. Milligan

NOV 8, 2006

approx. Time 10:05

Deposition of Michael Milligan

11/8/06

Objections:

1. No objection
2. Objection - Form
3. Objection - Form
4. Objection - Irrelevant
5. Objection - Irrelevant
6. Objection - Compound
7. Objection - Compound
8. Objection - Irrelevant
9. No objection
10. Objection

Erika Y. Tross (#4506)
Erika Y. Tross